

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**STEVEN MATTHEWS, individually and §  
on behalf of others similarly situated, §  
v. § **Civil Action No. 6:15-cv-448-RWS-KNM**  
§  
PRIORITY ENERGY SERVICES, LLC, §  
et al.**

**ORDER ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES  
MAGISTRATE JUDGE**

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation on Defendants' Motion to Compel Arbitration and Stay Proceedings ("Motion") has been presented for consideration. The Report and Recommendation (ECF 87) filed on December 2, 2016 recommends that the Motion be granted-in-part and denied-in-part. Neither party filed written objections.

This Court agrees with the Magistrate Judge's finding that the claims brought by the Signatory Plaintiffs are subject to arbitration. Further, this Court also agrees that, because the entirety of the claims brought by the Signatory Plaintiffs are referable to arbitration, retaining jurisdiction over the Signatory Plaintiffs serves no purpose, and the Signatory Plaintiffs should be dismissed from this action. With respect to Defendants' motion to stay, this Court agrees with the Magistrate Judge that the Court should not issue a mandatory stay, and a discretionary stay would be inappropriate because it would not be an efficient way to control or manage the docket.

Accordingly, finding no plain error in the Magistrate Judge's reasoning, the findings and conclusions of the Magistrate Judge are adopted as those of the Court. It is

**ORDERED** that the Defendant's Motion to Compel Arbitration is **GRANTED**; the Signatory Plaintiffs are **DISMISSED** from the litigation and compelled to arbitration. It is further

**ORDERED** that the Defendant's Motion to Stay the litigation is **DENIED**.

**So ORDERED and SIGNED this 3rd day of January, 2017.**

*Robert W. Schroeder III*  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE